



Indiana Department of Environmental Management
Office of Air Management
Rule Fact Sheet
August 2, 2000

**DEVELOPMENT OF AMENDMENTS TO RULES CONCERNING THE PREVENTION
OF SIGNIFICANT DETERIORATION PROGRAM
99-264(APCB)**

Overview

This rulemaking amends 326 IAC 2-2, Prevention of Significant Deterioration (PSD) requirements, to conform to the federal PSD requirements for the purpose of securing approval by U.S. EPA of 326 IAC 2-2 as a revision to the state implementation plan.

Citations Affected

Amends: 326 IAC 2-2

Affected Persons

The PSD rule affects major new sources of air pollution emissions and major modifications of existing sources located in attainment areas where air quality meets health based standards.

Potential Cost

None. The rulemaking will not substantively alter the PSD requirements for affected sources. It will only update the rules for federal approval. Sources are already subject to PSD requirements under a delegated authority.

Description

The PSD program review ensures that the construction and subsequent operation of new source and emission units will comply with best available control technology and not adversely impact the National Ambient Air Quality Standards or air quality. IDEM

is currently U.S. EPA's delegated authority for implementation of the PSD program. IDEM intends to seek approval of its PSD program from U.S. EPA so Indiana's permit program is independently authorized and issues are resolved within Indiana's administrative and legal system. The state's rule must be at least as stringent as the federal rule to be approvable by U.S. EPA as a revision to the SIP.

The definitions of the following terms were revised or added to mirror the current federal definitions in 40 CFR 51.166, 40 CFR 52.21 and the 1990 Clean Air Act Amendments (CAAA): actual emissions, adverse impact on visibility, baseline area, clean coal technology, clean coal technology demonstration project, electric utility steam generating unit, federal land manager, high terrain, low terrain, major modification, minor source baseline date, pollution control project, reactivation of a very clean coal-fired electric utility steam generating unit, repowering, representative actual annual emissions, secondary emissions, significant, stationary source, and temporary clean coal technology demonstration project. Language was modified to mirror the federal language to clarify some sections of the rule, and expired provisions were removed. Federal provisions from 40 CFR 51.166 and 40 CFR 52.21 regarding source obligations, Class I

areas, public participation, and ambient air ceilings were also added.

Consideration of Factors Outlined in Indiana Code 13-14-8-4

Indiana Code 13-14-8-4 requires that in adopting rules and establishing standards, the board shall take into account the following:

- 1) All existing physical conditions and the character of the area affected.
- 2) Past, present, and probable future uses of the area, including the character of the uses of surrounding areas.
- 3) Zoning classifications.
- 4) The nature of the existing air quality or existing water quality, as appropriate.
- 5) Technical feasibility, including the quality conditions that could be reasonably be achieved through coordinated control of all factors affecting the quality.
- 6) Economic reasonableness of measuring or reducing any particular type of pollution.
- 7) The right of all persons to an environment sufficiently uncontaminated as not to be injurious to:
 - (A) human, plant animal, or aquatic life; or
 - (B) the reasonable enjoyment of life and property.

Consistency with Federal Requirements

The amended rules are consistent with federal laws, rules, and guidance.

IDEM Contact

Additional information regarding this rulemaking action can be obtained by calling (800) 451-6027 (in Indiana), press 0 and ask for Suzanne Whitmer, Rule Development Section, Office of Air Management, (or extension 2-8229) or dial (317) 232-8229.